

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**February 20, 2018**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:27 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Denham, Duong, Manganiello, Morris-Jones, Parra, Raulston, Roberts, Rodriguez, Stevenson, Vergara, Williams, Ybarra.

Others present: City Treasurer Mitch Beauchamp and Student Representative Erika Gastelum.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

Hei-ock Kim, Executive Director of the Kim Center for Social Balance, introduced herself and explained the mission of the Kim Center.

Yasmin Serrano, a student from El Toyon School, extended an invitation to a fundraising event at her school for sixth grade camp, and sang a song for the Council.

Artan Kerieshi, Manager of Walgreens, shared some of the problems experienced at his business by homeless people, and expressed appreciation for the support he received from staff, service providers, and the Police Department, in addressing the problem.

Domonique Navarro, Environmental Health Coalition (EHC), made the City Council aware of a grant opportunity for a Safe-Routes to Parks funding grant that the EHC would be applying for and requested support from the Council.

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to add the item to the agenda. Motion failed by the following vote, to-wit: Ayes: Rios, Sotelo-Solis. Nays: Mendivil, Morrison, Cano. Absent: None. Abstain: None.

Ted Godshalk, National City, complained about the dangerous driving conditions and poorly maintained public areas in the Harbor District of the City.

Jose Estrada, National City, encouraged the City Council to re-examine their priorities and show appreciation for volunteers and the much needed work that they need to do.

Jose Rodriguez, National City, expressed surprise and disappointment about the action taken by the City Council to deny volunteers to have name badges and reported on campaign contributions for the Mayor's term limit initiative.

## **PUBLIC COMMENTS (cont.)**

Claudia Gonzales, National City, expressed disappointment about the conduct, actions and comments that occurred at the September 5<sup>th</sup> meeting regarding volunteers.

Gloria Jean Nieto, National City, shared her complaints about what was done at the last City Council meeting regarding volunteers.

Anita Brinkley, National City, came to the meeting to turn in her name badge as a volunteer and expressed her disappointment with the actions and comments of City Council members regarding volunteers.

Marisol Natividad, National City, shared the values her father, Luis Natividad, lived by; she expressed her displeasure regarding Council action to remove name badges from City Council volunteers and criticized the Mayor's term limit repeal efforts.

Michelle Reynoso stressed the importance and benefits of volunteers and said it is inappropriate to take away or discourage people from having the opportunity serve the community in that capacity.

## **PRESENTATIONS**

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)**

1. Update on Port Projects and Activities in National City. (Port Commissioner Robert "Dukie" Valderrama)
2. Introduction to the Harbor Drive Multimodal Corridor Study. (Larry Hofreiter, Program Manager, San Diego Unified Port District)

## **INTERVIEWS / APPOINTMENTS**

### **BOARDS & COMMISSIONS ADMIN (101-1-1)**

3. Interviews and Appointments: Various. (City Clerk)  
**ACTION:** Motion by Morrison, seconded by Cano, to appoint Nadia Nunez to the Public Art Committee and Jess Aguilar-Perez and Mona Minton to the Veterans and Military Families Committee. Carried by unanimous vote.

## **CITY COUNCIL**

### **CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 4 (NCCMC), Item No. 5 (Minutes), Item Nos. 6 through 8 (Resolution Nos. 2018-22 through 2018-24), Item Nos. 9 through 11 (Reports), Item Nos. 12 through 14 (Warrant Registers). Motion by Sotelo-Solis, seconded by Mendivil, to approve the Consent Calendar, except for Item Nos. 4 and 7. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**MUNICIPAL CODE 2018 (506-2-33)**

4. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**TESTIMONY:** Mr. Andrew McKercher, requested that Ordinance No. 2018-2446 be read in its entirety.

**ACTION:** Motion by Rios, seconded by Sotelo-Solis, to read the text of Ordinance No. 2018-2446. Carried by unanimous vote.

**APPROVAL OF THE MINUTES (103-2-1)**

5. APPROVAL OF THE MINUTES OF THE SPECIAL MEETINGS OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OF JANUARY 16, 2018 AND FEBRUARY 6, 2018. (City Clerk)

**ACTION:** Approved. See above.

**CONTRACT (C2010-10)**

6. Resolution No. 2018-22. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE FORMAL BID PROCESS AS ALLOWED BY NCMC SECTION 2.60.110(B) (1) (2), AND AUTHORIZING THE MAYOR TO EXECUTE A FIVE (5) YEAR AGREEMENT WITH THREE EXTENSIONS IN ONE (1) YEAR INCREMENTS BETWEEN THE CITY OF NATIONAL CITY AND SAN DIEGO SPORTS MEDICINE AND FAMILY HEALTH CENTER FOR WELLNESS PROGRAM SERVICES FROM FEBRUARY 20, 2018 TO JUNE 30, 2023, IN AN AMOUNT NOT TO EXCEED \$68,030 PER FISCAL YEAR. (Fire)

**ACTION:** Adopted. See above.

**CONTRACT (C2018-9)**

7. Resolution No. 2018-23. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE (3) YEAR AGREEMENT WITH THE EMPLOYMENT DEVELOPMENT DEPARTMENT (EDD) THAT INCLUDES A CONFIDENTIALITY AGREEMENT AND AN INDEMNITY AGREEMENT, FOR THE TOTAL NOT TO EXCEED AMOUNT OF \$2,436 PROVIDING THE NATIONAL CITY POLICE DEPARTMENT ACCESS TO EDD'S CONFIDENTIAL EMPLOYER ADDRESS AND CLIENT ADDRESS INFORMATION FOR INVESTIGATIVE PURPOSES. (Police)

**ACTION:** Motion by Rios, seconded by Mendivil to adopt the Resolution. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**ENGINEERING / PUBLIC WORKS DEPT - GRANTS / REPORTS ADMIN  
(1104-1-1)**

8. Resolution No. 2018-24. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING APPROPRIATION OF REVENUES AND EXPENDITURES FOR \$325,000 IN FEDERAL ACTIVE TRANSPORTATION GRANT FUNDS FOR THE EL TOYON-LAS PALMAS BICYCLE CORRIDOR PROJECT. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2017-2018 (204-1-33)**

9. National City Sales Tax Update Newsletter - Third Quarter 2017. (Finance)  
**ACTION:** Filed. See above.
10. Investment Transactions for the Month ended November 30, 2017. (Finance)  
**ACTION:** Accepted and filed. See above.
11. Investment Report for the Quarter ended December 31, 2017. (Finance)  
**ACTION:** Accepted and filed. See above.

**WARRANT REGISTER JULY 2017 - JUNE 2018 (202-1-32)**

12. Warrant Register #27 for the period of 12/27/17 through 01/02/18 in the amount of \$1,964,194.70. (Finance)  
**ACTION:** Ratified. See above.
13. Warrant Register #28 for the period of 01/03/18 through 01/09/18 in the amount of \$680,252.78. (Finance)  
**ACTION:** Ratified. See above.
14. Warrant Register #29 for the period of 01/10/18 through 01/16/18 in the amount of \$2,608,661.13. (Finance)  
**ACTION:** Ratified. See above

A recess was called at 8:20 pm

The meeting reconvened at 8:25 pm. All members were present.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

**ZONING CHANGE ADMIN (410-1-1)**

**MUNICIPAL CODE 2018 (506-2-33)**

15. Ordinance No. 2018-2446. PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING NATIONAL CITY MUNICIPAL CODE TITLE 18 (ZONING) SECTION 18.30.220(B)(1) REGARDING TELECOMMUNICATIONS FACILITIES. (Applicant: City-Initiated Land Use Amendment) (Case File No. 2018-02 A) (Planning)



**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS (cont.)**

The full text of the Ordinance was read into the record as follows:

ORDINANCE NO. 2018 – 2446  
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AMENDING TITLE 18 (ZONING), SECTION 18.30.220(B)(1)  
OF THE NATIONAL CITY MUNICIPAL CODE  
REGARDING TELECOMMUNICATIONS FACILITIES

NOW, THEREFORE, be it ordained by the City Council of the City of National City as follows:

Section 1. All protests, if any, against said amendment to the Municipal Code and each of them be and hereby are denied and overruled.

Section 2. That Title 18, Section 18.30.220(B)(1) of the National City Municipal Code is amended to read as follows:

18.30.220 Telecommunications facilities.

B. Commercial Telecommunication Facilities.

1. Telecommunications facilities, except those located in the City right-of-way, that are permitted through a City Master License Agreement are subject to a conditional use permit and design review, and shall comply with all applicable provisions of this section.

**RECOMMENDATION:** Adopt the Ordinance.

**STAFF PRESENTATION:** Deputy Assistant City Attorney Robby Contraras, Principal Planner Martin Reeder, Telecommunications Consultant Trip May.

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to open the Public Hearing. Carried by unanimous vote.

**TESTIMONY:** The following individuals spoke against the Ordinance: Sandy Naranjo, Environmental Health Coalition; Jesse Arana, Communication Workers of America; Jose Rodriguez, Saloman Espinoza, Fernanda Flores, San Diego Labor Council; Andrew McKercher, International Brotherhood of Electrical Workers; Janice Reynoso, Roger Pena, Communication Workers of America.

**ACTION:** Motion by Cano, seconded by Mendivil, to close the Public Hearing. There was no vote.

Substitute Motion by Sotelo-Solis, seconded by Rios, to continue the Hearing to have additional public comment on the items that were brought up regarding local hire as well as some of the additional fees ...I would actually like to learn more about some of those additional agencies, finding out more additional information for the continuance for this hearing would be great information. There was no vote.

Substitute Motion by Cano, seconded by Sotelo-Solis, to deny the Ordinance and create a workshop where all these good people here can address the concerns and start from ground zero. There was no vote.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS (cont.)**

**ZONING CHANGE ADMIN (410-1-1)**

**MUNICIPAL CODE 2018 (506-2-33)**

15. Ordinance No. 2018-2446 (continued)

Motion by Cano, seconded by Rios, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: Sotelo-Solis. Absent: None. Abstain: None.

Motion by Cano, seconded by Rios, that we do not accept this as presented to us by staff, that we do deny it at this time and that we do have a workshop and reach out to everybody. The motion was clarified to be to not introduce the Ordinance. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS**

**STORM DRAIN / WATER ADMIN (909-1-1)**

**LAND USE PLANNING / MITIGATION (405-10-4)**

16. Resolution No. 2018-25. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY MAKING A FINDING OF NO SIGNIFICANT ENVIRONMENTAL EFFECT FOR THE PARADISE CREEK WATER QUALITY AND COMMUNITY ENHANCEMENT PROJECT AND AUTHORIZING THE FILING OF A NOTICE OF DETERMINATION. (Applicant: City of National City) (Case File No. 2018-04 IS) (Planning)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Rios, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**BUDGET FY 2018-2019 (206-1-34)**

17. Resolution No. 2018-26. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING VARIOUS FISCAL YEAR 2018 MID-YEAR BUDGET ADJUSTMENTS. (Finance)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Mendivil, seconded by Morrison, to adopt the Resolution.

Motion by Rios, seconded by Sotelo-Solis, to amend the motion to delete any funding for an election. Motion failed by the following vote, to-wit: Ayes: Rios, Sotelo-Solis. Nays: Mendivil, Morrison, Cano. Absent: None. Abstain: None.

Motion to adopt the Resolution carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Absent: None. Abstain: None.

## NEW BUSINESS

### TEMPORARY USE PERMITS 2018 (203-1-34)

18. Temporary Use Permit - Wavetec requesting a ninety day extension to use the lot located at 1918 Cleveland Avenue to complete restoration on a 43 ft. sailboat from January 1, 2018 thru March 30, 2018 with no waiver of fees. (Continued from the February 6, 2018 City Council Meeting) (Neighborhood Services)

**RECOMMENDATION:** Review the application for a TUP subject to compliance with all conditions and with no waiver of fees in accordance to City Council Policy 802.

**TESTIMONY:** Paul Ralph, the applicant, responded to questions, provided information about his businesses and requested the permit end date be extended from March 30, 2018 to July 29, 2018.

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to deny the permit.

Substitute Motion by Cano, seconded by Mendivil, to approve the TUP with an extension until July 29<sup>th</sup> with an added stipulation that no painting be done. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Absent: None. Abstain: None.

**EXPARTE DISCLOSURE:** Member Cano disclosed that he met with the applicant prior to the meeting.

### BUDGET FY 2018-2019 (206-1-34)

19. Request for Direction regarding City Council Priorities for the City of National City's Fiscal Year 2019 Budget. (Finance)

**RECOMMENDATION:** Staff seeks formal direction from the Council.

**TESTIMONY:** Michelle Reynoso, National City, spoke in favor of the City doing research on the opportunities and challenges of Proposition 54.

**ACTION:** Motion by Mendivil, seconded by Sotelo-Solis, that we move forward with the first four items; homeless, quality of life, economic development and housing opportunities and but not with the cannabis.

Substitute motion by Cano, seconded by Mendivil, to move forward with homeless, quality of life and economic development but hold off on housing opportunities at this time do to the upcoming Housing Workshop and exclude cannabis. A friendly amendment was accepted by the maker and second, to change the word "encourage" to "consider" regarding economic development. The maker of the substitute motion and the second, withdrew their support for the friendly amendment. Substitute motion carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Absent: None. Abstain: None.

Motion by Mendivil, seconded by Sotelo-Solis, to approve the remainder of the items. Carried by unanimous vote.

**NEW BUSINESS (cont.)**

**GRANGER HALL ADMIN (702-12-1)**

20. Presentation of Granger Music Hall Feasibility Study and Recommendation to Submit Request to the San Diego Unified Port District (SDUPD) to Include Relocation Project in Planned Expansion of Pepper Park. Further Recommend Including the Contribution of Land Sale Net Proceeds from Granger Music Halls Existing Location to Assist in Funding the SDUPD Capital Project. (Engineering/Public Works & City Manager)

**RECOMMENDATION:** Direct staff to submit a proposal to the SDUPD for relocation, site preparation and rehabilitation of Granger Music Hall to the Marina District with the offer of net proceeds from the existing site's land sale.

**TESTIMONY:** Janice Martinelli, National City, spoke in support of the plan.

**ACTION:** Motion by Rios, seconded by Sotelo-Solis, to approve the proposal submittal. Carried by unanimous vote.

**B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY**

**C. REPORTS**

**STAFF REPORTS**

**PLANNING & BUILDING DEPT ADMIN (1104-1-10)**

21. Update on Wine Tasting Rooms and Craft Distilleries. (Planning)
22. Update on the Kick Off of San Diego Association of Governments (SANDAG) Regional Housing Needs Allocation (RHNA) Process. (Planning)

**ENGINEERING / PUBLIC WORKS DEPT – GRANTS / REPORTS ADMIN (1104-1-1)**

23. Update on Proposed CIP Needs Assessment Workshop. (Engineering/Public Works)

**MAYOR AND CITY COUNCIL**

Member Mendivil clarified his position from the previous City Council meeting on homelessness; the importance of the Alpha Project and the need to enforce laws when necessary.

**ACTION:** Motion by Mendivil, seconded by Morrison, to direct staff to review what other cities are doing and bring back a draft code of ethics, conduct or decorum. Carried by the by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Absent: None. Abstain: None.



### MAYOR AND CITY COUNCIL (cont.)

Member Sotelo-Solis expressed her objections regarding the need for a code of ethics and reported on the Championship efforts of the Sweetwater Basketball team.

Member Rios thanked the public for their attendance and encouraged their continued participation; said she would not support the special election to overturn and reset the Mayor's term limit; inquired about Police Department efforts to insure school safety and reported that the wife of Mr. Eddie Juarez passed away.

Member Cano expressed condolences for the families in Florida who suffered loss in the school shooting; requested that staff contact the Principal of Kimball School to hear concerns about the adjacent park and praised the Police Department for handling an incident he witnessed.

Mayor Morrison spoke about Public Oral Communication at the beginning of the meetings and how people can say anything they want and don't have to back it up with facts and expressed his belief that there was a lot of misinformation and misstatements made during Public Oral at the meeting tonight.

### MAYOR ADMIN / AGENDA ITEMS (102-14-2)

24. Discussion of Contractor Responsibility Ordinance. (Mayor Ron Morrison)  
**ACTION:** Motion by Morrison, seconded by Sotelo-Solis, to refer to staff for review and recommendations. Carried by unanimous vote.

### CLOSED SESSION REPORT

City Attorney Angil Morris-Jones reported that there were two matters of potential litigation. One was simply a report to the City Council with no action taken. Regarding the second matter, direction and authorization was given by the City Council by a four to one vote, with Council Member Cano voting "No". (See attached Exhibit 'L').

### ADJOURNMENT

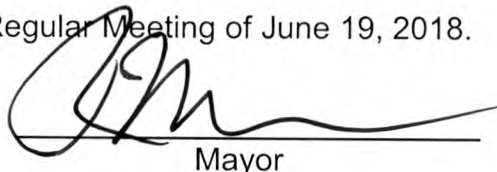
Motion by Sotelo-Solis, seconded by Mendivil, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – March 6, 2018 - 6:00 p.m. - Council Chambers - National City, California. Carried by unanimous vote.

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - March 6, 2018 - 6:00 p.m. - Council Chambers - National City, California.

The meeting closed at 12:26 a.m.

  
City Clerk

The foregoing minutes were approved at the Regular Meeting of June 19, 2018.

  
Mayor

## EXHIBIT 'L'



### AGENDA OF A SPECIAL MEETING

#### CITY COUNCIL OF THE CITY OF NATIONAL CITY

Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California

Special Meeting - Tuesday, February 20, 2018 – 6:00 p.m.

#### ROLL CALL

#### CITY COUNCIL

#### CLOSED SESSION

1. Conference with Legal Counsel – Potential Litigation  
Potential Exposure to Litigation under Government Code Section 54956.9(e)(1):  
Two Cases

#### ADJOURNMENT

Next Regular City Council Meeting: Tuesday, February 20, 2018, 6:00 p.m., City Council Chambers, Civic Center – National City, California.